device.

REMARKS

Entry of this amendment, reconsideration and withdrawal of all grounds of rejection stated in the Final Office Action and a Notice of Allowance are respectfully requested in light of the above amendments and the following remarks. Applicants note that although at page 2, sixth line from the bottom, the rejection is identified as "102(a)", based on the verbiage above that line, and the arguments that followed, that the rejection was actually a "103(a)" rejection, and was treated as such in this response.

Summary of the Rejections:

(1) Claims 1, 4, 5, 7-10, 12-14, 16, 18-19, 21-24, 26, 27, 30-31, 33-36, 38 and 40 stand rejected under 35 U.S.C.§103(a) as allegedly being obvious over Hon (U.S. 6,074,213).

(2) Claims 2, 5-6, 11, 15, 19-20, 25, 28, 31-32, 37, 39 and 41-43 stand rejected under 35 U.S.C.§103(a) over the combination of Hon in view of Parker et al. (U.S. 6,321,113 hereafter "Parker").

Applicants' Traversal:

In the Final Office Action, it is admitted that Hon does not specifically disclose that feedback is used to indicate the correctness of the use of the medical device. Applicants have further amended base claims 1, 14, 26 and 27 with regard to the feedback by reciting that there is generated feedback that indicates indicating (i) whether a particular interaction is appropriate under given conditions; and (ii)the correctness on

the use of the medical device. Support can be found through the specification for this amendment, and particularly at page 8, lines 9-10.

Applicants respectfully submit that Hon, or the combination of Hon and Parker, would have failed to disclose, suggest, or motivate the artisan at the time of invention such that the instant base claims would have been obvious to an artisan. The feedback provided to the user is both feedback that the particular interaction chose is appropriate under given conditions, and that medical device is being used correctly. It is respectfully submitted that Hon, or the combination of Hon and Parker, fail to make such teachings obvious.

For example, in the case of a simulation of a defibrillator, one might incorrectly determine the type of shock to be administered, and even if correct, might place the electrodes in an improper position on the patient. Thus the instantly claimed invention provides feedback regarding, for example, the type of electrical shock, and whether the duration is appropriate. Furthermore the feedback will provide information as to whether the defibrillator is being used correctly, for example, and can notify the user that the electrode pads are not positioned to provide maximum energy transfer to the patient. The only feedback discussed in Hon is referred to in computer arts as WYSIWYG (what you see is what you get); in other words you set a particular setting, you then observe a reaction. This type of feedback is far less useful and critical in that there are no instructions regarding the appropriateness of the chosen path and the correctness of the use of the medical device. The instantly claimed invention eliminates the trial and error of a feedback system such as disclosed in Hon. Applicants also note that the feedback may alternatively be offered in audio, or audio-visual as well as visual.

Accordingly, it is respectfully submitted that none of the present claims would have been obvious to a person of ordinary skill in the art over Hon and/or the combination of Hon and Parker. Applicants also respectfully submit that the dependent claims are also allowable both for their dependency upon one of base claim 1, 14, 26 and 27, and because of an independent basis for patentability.

Furthermore, The Court of Appeals for the Federal Circuit has held that:

> The mere fact that the prior art
> may be modified in the manner suggested
> by the Examiner does not make the
> modification obvious unless the prior art
> suggested the desirability of the modification.

In re Fritch, 973, F.2d 1260,1266, 23 U.S.P.Q. 2d 1780, 1783-84 (Fed. Cir. 1992). Here, the Final Office Action has not set forth a *prima facie* case of obviousness as the suggested desirability is of generating feedback as recited by Applicant's instant claims is lacking in the references.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Craig S. AMAN

SERIAL NO.: 09/739,357 EXAMINER: John L. Sotomayor

FILED: December 19, 2000 ART UNIT: 3714

FOR: WEB ENABLED MEDICAL DEVICE TRAINING

VERSION WITH MARKINGS SHOWING CHANGES MADE

Assistant Commissioner for Patents
BOX AF
Washington, DC 20231

Dear Sir:

In response to the Final Office Action mailed November 27, 2002, please amend the above-identified application as follows:

IN THE CLAIMS:

1. (Twice Amended) A method for providing instructional information on the use of a medical device to a user computer, the method comprising:

a) receiving a request for instructional information on the use of the medical device over a network, the request originating from the user computer;

b) providing a first graphical user interface having a list of instructional topics associated with the medical device to the user computer in response to the request;

c) providing a second graphical user interface having a list of instructional sub-topics associated with an item on the list of instructional topics to the user computer in

response to receiving a request for the item on the list of instructional topics from the user computer;

d) providing a plurality of instructional graphical user interfaces having instructional information pertaining to an item on the list of instructional sub-topics to the user computer in response to receiving a request for the item on the list of the instructional [sub-topic] sub-topics from the user computer; and

e) generating a feedback indicating (i) whether a particular interaction is appropriate under given conditions; and (ii) the correctness on the use of the medical device.

14. (Twice Amended) A system for providing instructional information on the use of a medical device, the system comprising:

a) a network;

b) a user computer coupled to the network for requesting instructional information on the use of the medical device; and

c) a server [couple] coupled to the network;

wherein the server provides a first graphical user interface having a list of instructional topics associated with the medical device to the user computer in response to the request for instruction, provides a second graphical user interface having a list of instructional sub-topics associated with an item on the list of instructional topics to the user computer in response to receiving a request for the item on the list of instructional topics from the user computer, provides a plurality of instructional graphical user interfaces having instructional information pertaining to an item on the list of instructional [sub-topic] sub-topics from the user computer, and generates a feedback indicating (i)

whether a particular interaction is appropriate under given conditions; and (ii) the correctness on the use of the medical device.

26. (Twice Amended) A computer program article of manufacture, comprising:

a) a computer-readable medium for providing instructional information on the use of a medical device;

b) executable instructions in the computer-readable medium for receiving a request for instructional information on the use of the medical device over a network, the request originating from a user computer;

c) executable instructions in the computer-readable medium for providing a first graphical user interface having a list of instructional topics associated with the medical device to the user computer in response to the request;

d) executable instructions in the computer-readable medium for providing a second graphical user interface having a list of instructional sub-topics associated with an item on the list of instructional topics to the user computer in response to receiving a request for the item on the list of instructional topics from the user computer;

e) executable instructions in the computer-readable medium for providing a plurality of instructional graphical user interfaces having instructional information pertaining to an item on the list of instructional sub-topics to the user computer in response to receiving a request for the item on the list of the instructional [sub-topic] sub-topics from the user computer; and

f) executable instructions in the computer-readable medium for generating a feedback indicating (i) whether a particular interaction is appropriate under given conditions; and (ii)the correctness on the use of the medical device.

27. (Twice Amended) A business method for providing instructional information on the use of a medical device to a customer computer, the method comprising:

a) receiving a request for instructional information on the use of the medical device over a network, the request originating from the customer computer;

b) providing a first graphical user interface having a list of instructional topics associated with the medical device to the customer computer in response to the request;

c) providing a second graphical user interface having a list of instructional sub-topics associated with an item on the list of instructional topics to the customer computer in response to receiving a request for the item on the list of instructional topics from the customer computer;

d) providing a plurality of instructional graphical user interfaces having instructional information pertaining to an item on the list of instructional sub-topics to the customer computer in response to receiving a request for the item on the list of the instructional [sub-topic] sub-topics from the customer computer; and

e) generating a feedback indicating (i) whether a particular interaction is appropriate under given conditions; and (ii)the correctness on the use of the medical device.